

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 :  
ASHLEY M. DIETRICH, R.N., : FINAL DECISION AND ORDER  
RESPONDENT. : ORDER 0008117

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Division of Legal Services and Compliance Case No. 22 NUR 242

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Ashley M. Dietrich, R.N.  
Thorp, WI 54771

Wisconsin Board of Nursing  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

An Interim Order was issued in this matter on August 16, 2022. The parties in this matter agree to the terms and conditions of the attached Stipulation as the Final Disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Ashley M. Dietrich, R.N. (Respondent), (Year of Birth 1987) is licensed in the state of Wisconsin as a registered nurse, having license number 242955-30, first issued on July 10, 2018. This license expired on March 1, 2022, and has not been renewed. Respondent retains the right to apply to renew her license pursuant to Wis. Stat. § 440.08(3) through February 28, 2027. On August 16, 2022, Respondent's license was suspended per Board Interim Order Number 0008117.

2. Respondent was also licensed in the state of Wisconsin as a licensed practical nurse with multistate privileges pursuant to the Nurse Licensure Compact, having license number 321987-31. This license expired as of May 1, 2019, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply to renew her license until April 30, 2024.

3. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Thorp, Wisconsin 54771.

4. On October 15, 2021, Respondent's husband arrived at the emergency room in Chippewa Falls, Wisconsin, with a stab wound to the chest. Respondent's husband told hospital staff that Respondent stabbed him.

5. Respondent's husband told police that both he and Respondent used cocaine and would argue if they didn't have any cocaine left, and that they both used cocaine on the night he was stabbed.

6. Respondent told police that she attempted to commit suicide at the time of the altercation with her husband.

7. On November 1, 2021, Respondent was charged with one count of attempted first degree intentional homicide, a class B felony, in violation of Wis. Stat. §§ 940.01(1)(a), 939.50(3)(a) and 939.32, and one count of first-degree reckless injury, domestic abuse – infliction of physical pain or injury, a class D felony, in violation of Wis. Stat. §§ 940.23(1)(a), 939.50(3)(d) and 968.075(1)(a)1, in Chippewa County Circuit Court Case Number 2021CF000709.

8. On August 14, 2023, Respondent pleaded no contest to and was convicted of one count of second degree recklessly endangering safety, a class G felony, in violation of Wis. Stat. § 941.30(2). The charge for attempted first degree intentional homicide, a class A felony, in violation of Wis. Stat. §§ 941.30(2) and 940.01(1)(a), was dismissed but read in. Respondent was sentenced to 36 months of probation and 90 days of conditional jail.

9. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent was convicted of a crime substantially related to the practice of nursing within the meaning of Wis. Admin. Code § N 7.03(2).

3. By the conduct described in the Findings of Fact, Respondent is unable to practice safely by reason of alcohol or other substance use within the meaning of Wis. Admin. Code § N 7.03(6)(f).

4. By the conduct described in the Findings of Fact, Respondent is unable to practice safely by reason of psychological impairment or mental disorder within the meaning of Wis. Admin. Code § N 7.03(6)(g).

5. By the conduct described in the Findings of Fact, Respondent obtained, possessed, or attempted to obtain or possess a drug without lawful authority within the meaning of Wis. Admin. Code § N 7.03(8)(e).

6. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b), (c) and (d), and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER by Respondent of her license to practice as a registered nurse in the state of Wisconsin (license no. 242955-30), her license to practice as a licensed practical nurse in the state of Wisconsin (license no. 321987-31), and her right to renew both licenses, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse or to practice as a licensed practical nurse in the state of Wisconsin, or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$1,522.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent petitions the Board for reinstatement of her license to practice as a registered nurse or to practice as a licensed practical nurse in the state of Wisconsin, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmmonitoring.wi.gov>.

6. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

By:   
A Member of the Board

10/12/2023  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	
ASHLEY M. DIETRICH, R.N.,	:	STIPULATION
RESPONDENT.	:	ORDER 0008117
	:	

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Division of Legal Services and Compliance Case No. 22 NUR 242

Ashley M. Dietrich, R.N. (Respondent), and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

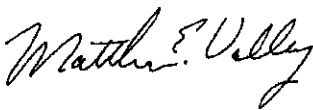
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Ashley M. Dietrich, R.N., Respondent  
Thorp, WI 54771  
License No. 242955-30

09/27/23

Date



Matthew Valley, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

October 2, 2023

Date